

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKJodi DeCrenza660 Riverside Drive (5-H)NY, N.Y. 10031

(In the space above enter the full name(s) of the plaintiff(s).)

14 CV 3921**COMPLAINT**

-against-

JUDGE FORRESTThe Childrens Law Center
et alJury Trial: ☒ Yes ☐ No
(check one)Roferee, Annette Guarino
Judge, David B. Cohen
Alfred Tapia, Petitioner
Rosie Tapia, Petitioner's Sister
Harry Kuhn (Forensic Social Worker)

(Custody Attorney from Tampa Fl.)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name

Jodi DeCrenza

Street Address

660 Riverside Drive (5-H)

County, City

NY.

State & Zip Code

NY 10031

Telephone Number

646-372-7404

- B. List all defendants. You should state the full name of the defendant, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name

The Childrens Law Center

Street Address

FILED
U.S. DISTRICT COURT
S.D. OF N.Y.
JUN -2 PM 1:44

County, City Bronx, NY
 State & Zip Code 10451
 Telephone Number _____

Defendant No. 2

Name Referee Annette Guarino
 Street Address 900 Sheridan Ave (Bronx Family Court)
 County, City Bronx, NY
 State & Zip Code 10451
 Telephone Number 1

Defendant No. 3

Name Judge David B Cohen (Civil Court)
 Street Address 911 Centre Street
 County, City NY
 State & Zip Code NY 10013
 Telephone Number _____

Defendant No. 4

Name Alfredo Tapia
 Street Address 310 Franklin Street
 County, City MORRISTOWN NJ
 State & Zip Code 07960
 Telephone Number 862-755-4406

See attached for
 Additional defendants

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions

☐ Diversity of Citizenship

B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue?

14th Amendment (Due Process)
False Allegations that they dismissed without
my being able to answer them.

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Also Perjury, coercion, and Malfeasance of office

Plaintiff(s) state(s) of citizenship _____

Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events.

Defendant 5:

Rosie Tapia (Rardon & Associates)
3918 North Highland Ave
Tampa Florida 33603

Defendant 6:

Harvey Kohn (Forensic Social Worker)
South Plainfield, NJ

You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? _____

B. What date and approximate time did the events giving rise to your claim(s) occur? _____

C. Facts: See attached:

What happened to you?

(Overview of the Courts Bias and Prejudice)

Who did what?

Was anyone else involved?

Who else saw what happened?

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them, and state what medical treatment, if any, you required and received.

- Assaulted by Alfredo Tapia in June of 2010.
- Knocked unconscious, Bruised Right Arm, Hand Prints on my neck from him choking me.
- Diagnosed with High Blood Platelets doctor states Stress and Anxiety as the cause and doctor also states its a form of Bone Marrow Cancer.

Rev. 05/2010

- Financially I have Spent \$600,000 over the last four years, due to this court case.

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

I Am seeking 7 million dollars in compensatory and punitive damages.

In addition to the 600,000 outlay, I sold off all my assets which was real estate, I went through my 401K and my inheritance.

My two beautiful daughters suffer from severe Anxiety and Stress due to this case. The entire family has been ripped apart.

I have suffered the manipulation and obstruction of Alfredo Tamia & the Prejudice Bias and Character Assassination of the CAC, Referee Guarino and Judge David B Cohen

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 2 day of June, 2014

Signature of Plaintiff

Mailing Address

Telephone Number

Fax Number (if you have one)

Jodi Deluca
660 Riverside Drive
NY NY
112031
646-372-7404

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this _____ day of _____, 20__, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff: _____

Inmate Number _____

OVERVIEW OF THE COURTS BIAS AND PREJUDICE

In the Bronx Family Court Custody/Visitation case of **Alfredo Tapia**, Petitioner vs. **Jodi DeCrenza**, Respondent, Doc. Nos. V22463/10; V28879/10; V--33130--12, the case began on Oct. 19, 2010.

The Respondent, **Jodi DeCrenza**, the biological, custodial mother of the child at issue, born out of wedlock, **Gianna Rose Tapia**, since birth on 12/27/2007 lost custody of her child after six years. Via the decision of **Judge David B. Cohen**, sole and legal custody of the child at issue was awarded to the Petitioner. Until the case began, **Alfredo Tapia**, was an absentee father.

In making this cruel and immoral decision the courts bias and prejudice that was so clearly evident and documented by attorney, **Bruce Goldstone**, motivated the court to commit and be guilty of **perjury, coercion and violations of my civil rights!**

I, **Jodi DeCrenza** reported that on the very first day of the case, 10/19/2010, I witnessed the Petitioners sister, **Rose Tapia**, who specializes in child custody cases as an attorney in Tampa Florida, having a conversation with the referee who was to hear the aforementioned case involving her petitioner brother, **Alfredo Tapia**. I observed that after the conversation ended and the referee opened the hearing, she, **Referee Guarino**, made the following opening disparaging statement. " If this is a case of a woman scorn and vindictiveness, I will get to the bottom of it rather quickly, I am good at that".

I stated that I had never met the referee prior to these proceedings. It was obvious that there was a clear demonstration of partiality, and I pointed this out to my attorney, **Brian Kelly**.

Referee Guarino immediately began to chastise me for various questionable reasons. **Referee Guarino's** bias and criticism was so blatant that my attorney **Brian Kelly** came out to the waiting room after the first recess and stated to my father, **John DeCrenza**, that the referee, "**Annette Guarino** does not like your daughter." Again I reiterated that I had never met this women prior.

At the very next hearing on Jan. 4, 2011 a 26 page forensic report was entered into evidence. It was supposed to be a home study of the Petitioners apartment but instead went far beyond the scope of a home study. It did nothing but unfairly criticize and disparage my entire family and myself. It was performed in the presence of my daughter **Gianna** for three hours and forty--five minutes and not one of us were ever spoken to. It was **PURE HEARSAY AND SUBJECTIVITY!** It was this very disturbing report by **Harry Kuhn** that was controlled and orchestrated by **Rosie Tapia** and her brother, Petitioner, **Alfredo Tapia**. It should be noted that **Rosie Tapia**, custody attorney in Florida, had no right to be practicing law in the state of NY and influencing the court in favor of her brother, **Alfredo**.

The **Kuhn** report spoke in its entirety about gaining full and legal custody. **Rosie** and **Alfredo Tapia**, searched for a month to find a forensic social worker who would compose a report to echo their unfounded allegations about me and my family.

This false report was a tremendous influence on the already biased **Referee Guarino**, and led to her making the decision to grant several long trips to Florida, starting in April of 2011, when there had never been one single overnight at **Mr. Tapia's** apartment 52 miles away in Morristown, NJ. As my attorney, **Lou Newman**, stated in the April, 2011 transcripts "there needs to be an evidentiary hearing on this matter."

His statement of law was completely ignored by **Referee Guarino** and the court. This decision had a profound influence on increasing the stress and anxiety experienced by our daughter, **Gianna**.

Referee Guarino's biased behavior towards me, her proven connection to the **Tapia family**, **Rosie Tapia's** ex-parte communications and the 26 page forensic report filled with unproven allegations all resulted in establishing an environment of bias and Prejudice that sabotaged my case assassinated my character, favored and deified **Alfredo Tapia** and caused our daughter unmanageable stress and anxiety and serious mental and physical harm. Not to mention the stress it's caused her sister **Madison**, both my parents and myself. This case has also destroyed me financially as I've spent my entire life savings, as well as my inheritance. I have gone through **\$600,000** in this court case and endured an unimaginable level of stress by having my daughter, **Gianna** taken from me and witnessing the painful impact of this situation on my daughter, **Madison**. It's been unbearable and has had a disastrous effect on my health.

Just yesterday, May 27, 2014 I visited a hematologist, based on the results of a cat scan and blood test which were performed because of the excruciating headaches I had been experiencing for three months.

The hematologists determined that I had a severely elevated platelet count due to bone marrow cancer. He went on to say that the most significant and important cause of my worrisome condition was all due to stress!

After 9 months in her father's custody with a new wife, a full time nanny our daughter still weighs the same 32 pounds as she did in my custody. Up until April 2011 **Gianna** was a healthy happy 50--pound child.

At the hearing on March 9, 2011 is when all the trouble and abuse of power by Referee Guarino really came into effect. Mr. Tapia started his antics with Contempt's of Court. **Alfredo Tapia's** sister **Rosie** working behind the scenes orchestrated the start and continuing nature of excessive trips to Florida when there had never been even one overnight at Alfredo's Tapia's apartment. Tapia took his daughter from April 2011 until present day on 25 trips to Florida over a two and a half year period.

Attorney **Goldstone** asked Referee **Guarino** if in fact she owned real estate near the petitioner's family in Jacksonville Florida and she, referee **Guarino** admitted owning the real estate and angrily stated "that she had worked for the father of the petitioners attorney, **Brian Perskin**, 30 years ago.

Attorney **Goldstone** made a motion from the floor for **Referee Guarino** to recuse herself, as there were overwhelming indications of partiality. **Referee Guarino** declined the recusal motion and **Attorney Goldstone** made another written motion for **Referee Guarino** to recues herself from the case. The written motions were also denied.

The Petitioner, **Alfredo Tapia** was being represented **Brian D. Perskin**, 44 Court Street, Brooklyn, NY. I knew that I had a biased and abusive Referee hearing this case. It was obvious that there was some kind of collusion taking place behind the scenes.

Attorney **Bruce Goldstone**, retired before the continuation of the case. However, he, attorney **Bruce Goldstone** signed an affidavit, which stated that the partiality in the aforementioned case was like "a glaring light in a blackout." The bias and prejudice continued on until the case was adjudicated. At one point I went to seek a stay with attorney, **Julie Hyman** at the appellate court and **Barbara Dildine** from the **Children's Law Center** was there. Both my daughters and myself had never met her before. While in her presence I watched her throw the papers on the floor that Julie handed her and angrily stated, "I 'm going to make sure that women loses custody of her child." Shortly after that while waiting to go into court one day, **Brian Perskin**, Petitioners attorney hit me in the nose and stated, "I'll f-----king follow you myself, just so you lose custody." Clearly there was so much bullying going on against me.

There were many other incidents where by The **CLC** and court personal behaved in a disrespectful and unprofessional manner.

See e--mail below as well as an affidavit from my attorney, **Julie Hyman**, who was working alongside **Bruce Goldstone**.

Also see affidavit from attorney **Julie Hyman** who would not put her law license on the line for anyone! **Ms. Dildine** threw the papers on the floor, while making the statement to my attorney, Julie, "I'm going to make sure that women loses custody her child." of The statement was preposterous since neither myself or my child, **Gianna**, ever laid eyes on this women prior!

FACTS OF COLLUSION AND PARTIALITY

The Children's Law Center is located at 44 Court St., Brooklyn, N.Y., which is also in the same building as **Brian D. Perskin's** office one floor from each other. So now we have **Referee Guarino** connected to **Brian Perskin's** father, we have the **Children's Law Center** in the same building as the Petitioners attorney's, we have **Rosie Tapia** meddling in and flying up for every single hearing representing her brother illegally and then we have a 26 page subjective report from a forensic social named **Harry**

Kuhn from NJ who was hired to perform the report. There is so much overwhelming evidence of bias, prejudice and people abusing their power in this case.

This case was eventually transferred by Referee **Annette Guarino** to Judge **David B. Cohen**, where respondent **Jodi DeCrenza** asked Judge **Cohen** if she could address the court to inform the Judge of the overwhelming partiality that was displayed against her, prior to him, **Judge Cohen**, being assigned to the case. **Judge Cohen** stated, "I'm not going to allow you to come into my courtroom and bash the people I work with."

Then there was a false contempt issue made against me. When I proceeded to answer that very contempt issue, **Brian Perskin** got up to speak built many smoke screens yet when it was my turn, Judge **David Cohen** stated he was not hearing anymore evidence in this case and put me on probation for six months without even listening to what I had to say. At this point I knew the **Web of Lies** was becoming thick and I was being **blackballed!** Ultimately all six contempt issues were dismissed because they were false and frivolous in nature. Again my Civil Rights were violated! I addresses Judge **Martino** as well would not allow me to address the charges of contempt against me instead he dismissed them.

The final decision of Judge **Cohen** to remove the child at issue, **Gianna Rose Tapia**, from her custodial, natural mother since birth, and her sibling sister, in addition, her status quo environment, The Bronx, N.Y., by awarding the petitioner, **Alfredo Tapia**, sole legal custody of the child at issue. This decision appears to have been reached by the court by consistently rejecting the testimony and evidence of more than eleven witnesses for the respondent. The court also rejected evidence of a physical assault perpetrated by the petitioner on the respondent mother, in the presence of the child at issue and the respondents 11 year old daughter **Madison Suddaby**. The **Assault** occurred at 6135 Liebig Ave, Bronx, N.Y. In the first week of June, 2010 and was reported to the 50th precinct, Bronx, N.Y., however the court found it necessary to discredit both the police report and the eye witness by the respondents daughter, **Madison**, in order to justify and support the courts decision. The court denied all the testimony of respondents 11 witnesses, three forensics, including **Doctor Peter Wolff** a court appointed one. The court looked for every single opportunity to fabricate situations that reflected negatively on my personality and character. For example, they even criticized the fact that prior to the case beginning, I owned three pieces of real estate that they alleged I lived in and therefore moved residences excessively. It's true that I owned three properties, but I never resided in all of them. (All have been sold off to fund this collusive court case) At this point because of four years of court expenses, I was required to liquidate these properties, all my retirement assets and future inheritance.

They never proved that I was an unfit mother. They also never proved that if **Gianna** remained in my care she would be harmed. The courts removed her from her status quo environment without any justification what so ever. This was motivated by a bias, prejudice and collusive campaign against me. They simply took my child away

from me because **Mr. Tapia** and I did not get along. They unjustifiably held me entirely responsible for that.

What other conclusion can I come to? This is the same courthouse that saw fit to continually return a little boy to his drug addict mother 11 times before he died after consuming rat poisoning. Yet the court saw fit to take my child away from me when she flourished while in my care. There was no justification for this at all!

I have always been a devoted and dedicated mother, I don't drink or do drugs and I'm a focused, healthy and well--adjusted 50--year--old mom. I have been a fitness professional to celebrities and CEO'S for over 30 years!

Thin Booklet is Refusal of
the Children's Law Center with
Exhibits

Refusal Booklet 1/2

Booklet 3 is Judge David B. Cohen's
Final decision

Book 4 - Exhibits add to
Character assassination / False allegations
And Clear cut documentation of
the Bias, Prejudice, Collusion and
Abuse of Power!

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